IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.634 OF 1994
IN
SUMMARY SUIT NO.3352 OF 1993

Jamotri Ramdeo Jatia ..Plaintiffs

Vs.

Pratap Steel Rolling Mills Ltd. ..Defendants

Mr.Tushar Goradia i/b Kishor Jain for the plaintiffs

Mr.Avani Shah i/b Gordandas & Fozdar for the defendants

CORAM : S.U.KAMDAR, J
DATED : 14TH SEPTEMBER, 2005

P.C.:

. The present suit is filed for the recovery of sum of Rs.1,92,715.60 towards the goods sold and delivered and interest on the outstanding amount. The invoices and Lorry Receipts are annexed to the plaint. The Summons for Judgment was taken out. Defendants are served. Defendants took up the stand that in view of the fact that the company is registered under BIFR the present Summons for Judgment is not maintainable. The learned counsel for the plaintiffs and defendants both state that as per the official web site of BIFR shown of the

company, matter has come out of BIFR proceeding and winding up proceeding is recommended. In that view of the matter, provision of s.22 no more applies. The learned counsel for the defendant states that they have no instruction in the matter. Summons for Judgment made absolute. Decree as prayed. Suit as well as summons for judgment disposed of accordingly. Refund of court fee as per rules.